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Attorney for TD Auto Finance, LLC

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF WYOMING  
Bankruptcy Judge Cathleen D. Parker**

<b>In re:</b>	)	
	)	<b>Case No. 19-20116</b>
<b>DENNIS MEYER DANZIK</b>	)	
[	)	
	)	
	)	
	)	<b>Chapter 7 Bankruptcy</b>
<b>Debtor.</b>	)	
	)	
<b>TD AUTO FINANCE, LLC</b>	)	
	)	
	)	
	)	
	)	
<b>Movant,</b>	)	
<b>vs.</b>	)	
	)	
<b>Dennis Meyer Danzik and Randy L.</b>	)	
<b>Royal as the Chapter 7 Trustee,</b>	)	
	)	
<b>Respondents.</b>	)	

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**MOTION FOR RELIEF FROM STAY PURSUANT TO 11 U.S.C. § 362(d)**

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The Movant, TD AUTO FINANCE, LLC (“TDAF”), by and through its attorneys, SCHWARTZ, BON, WALKER & STUDER, LLC, submits its Motion for relief from stay pursuant to 11 U.S.C. § 362(d) as follows.

1. This Court has jurisdiction over this matter pursuant to 11 U.S.C. § 362(d) and 28 U.S.C. § 1334 et seq.

2. The Chapter 7 Trustee has an interest in this matter. Accordingly, he must be joined as a party.

3. TDAF holds a validly perfected, first priority security interest in the following personal property pledged by Dennis Meyer Danzik (“Debtor”) as collateral for his obligation to TDAF:

- **2006 Bentley Arnage, VIN #SCBLF34F66CX11286 (“Collateral”).**

See Wyoming Simple Interest Retail Installment Contract, attached as Exhibit 1, and Certificate of Title, attached as Exhibit 2.

4. The Debtor is in default on his monetary obligation to TDAF. TDAF has not received a payment from Debtor since **January 25, 2016**, and the Retail Installment Contract is currently in default in the amount of \$32,752.14, as it has matured. A payment history for Debtor’s account with TDAF is attached hereto and incorporated by reference.

5. The current payoff due and owing TDAF on the account is \$32,752.14.

6. The low NADA retail value of the Collateral is approximately \$51,100.00. Upon information and belief, however, the auction value of the Collateral may be closer to \$28,000.00.

7. The value of TDAF's Collateral is depreciating daily as a result of Debtor’s continued use of the Collateral, without making payment to TDAF.

8. Cause exists, including lack of adequate protection, for the termination of the automatic stay under 11 U.S.C. § 362(d)(1) as a result of the depreciating value of the Collateral and Debtor’s failure to make payment to TDAF to protect its interest in the Collateral.

WHEREFORE, TDAF respectfully requests that this Court enter an Order granting TDAF relief from stay to immediately foreclose upon the Collateral pursuant to 11 U.S.C. § 362(d) and exercise all other remedies under state and federal law that are not inconsistent with Title 11 of the United States Code.

DATED this 4th day of April, 2019.

SCHWARTZ, BON, WALKER & STUDER, LLC

/s/ Patrick T. Holscher  
Patrick Holscher, WY Reg. No. 5-2724  
141 S. Center St., Suite 500  
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Attorneys for TD Auto Finance, LLC

Movant's Address

PO Box 16041

Lewiston, ME 04243-9523

**NOTICE OF TIME TO OBJECT**

YOU ARE HEREBY NOTIFIED that if you desire to oppose this Motion, you must file with this Court and serve on Patrick Holscher at SCHWARTZ, BON, WALKER & STUDER, LLC, 141 S. Center St., Suite 500, Casper, WY 82061, attorneys for TD Auto Finance, LLC, a written objection to the motion on or before **April 22, 2019**.

DATED this 4th day of April, 2019.

SCHWARTZ, BON, WALKER & STUDER, LLC

/s/ Patrick T. Holscher

Patrick Holscher, WY Reg. No. 5-2724

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Casper, WY 82061

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Attorneys for TD Auto Finance, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on April 4, 2019, I served the **MOTION FOR RELIEF FROM STAY PURSUANT TO 11 U.S.C. § 362(d)** upon the following parties via United States Mail postage prepaid:

Dennis Meyer Danzik  
1108 14th Street  
Cody, WY 82414

Ken McCartney  
P.O. Box 1364  
Cheyenne, WY 82003

Randy L. Royal  
P.O. Box 551  
Greybull, WY 82426

United States Trustee  
308 West 21<sup>st</sup> Street, 2<sup>nd</sup> Floor  
Cheyenne, WY 82001

/s/Patrick T. Holscher